
IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

**PHL VARIABLE INSURANCE
COMPANY,**

Plaintiff,

vs.

**THE SHELDON HATHAWAY FAMILY
INSURANCE TRUST, by and through its
trustee, DAVID HATHAWAY,**

Defendant.

ORDER TO RESPOND

Case No. 2:10-cv-67

Judge Dale A. Kimball

The court requests Intervenor-Defendant Windsor Securities LLC, to respond to the following limited issues in Plaintiff's Objection to the Magistrate's Memorandum Decision and Order regarding Interrogatory No. 6 and Request for Production No. 32.

With respect to Interrogatory No. 6, Windsor shall: (1) present its reasons for requiring Plaintiff to answer the question with respect to policies that were issued prior to 2006, when PHL became aware of stranger-owned life insurance schemes and began requiring disclosure of premium financing; and (2) address whether those reasons outweigh the stated burden to Plaintiff.

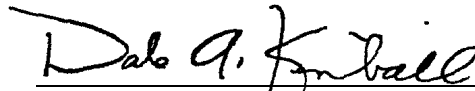
With respect to Request for Production No. 32, Windsor shall clarify: (1) whether it is requesting the final published reports of all market conduct examinations or all documents related to the market conduct examinations; and (2) whether it is seeking market conduct

examinations that may randomly include a policy of more than \$4 million insuring someone age 75 or older or market conduct examinations in which the subject of the examination was policies of more than \$4 million insuring a person age 75 or older. If Windsor is seeking all market conduct examinations that may have randomly included such a policy, it shall state its reasons for believing that such information would yield useful or relevant information in this case. Also, if Windsor is seeking all documents related to all market conduct examinations, it should present its reasons for seeking all such documents rather than only the final examination report.

The court requests that Windsor's response be no longer than ten pages and be filed by April 20, 2012.

DATED this 12th day of April, 2012.

BY THE COURT:

A handwritten signature in black ink, reading "Dale A. Kimball", is written over a horizontal line.

DALE A. KIMBALL

United States District Judge